



03190.000100.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
EDDIE F. RAY, III, ET AL.)	Examiner: Not Yet Assigned
Application No.: 10/766,504)	Group Art Unit: 3738
Filed: January 27, 2004)	
For: BONE GRAFTS)	October 21, 2004

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

**ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL
PROCESSING AND CORRESPONDENCE BRANCH**

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NON-PROVISIONAL APPLICATION

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF NON-
PROVISIONAL APPLICATION mailed June 21, 2004, enclosed please find:

1. Executed Declaration/Power of Attorney form together with the
surcharge fee of \$130.00;

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first-class mail in an envelope addressed
to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-
1450 on

October 21, 2004
(Date of Deposit)

Ronald A. Clayton
(Name of Attorney for Applicant)

Signature

October 21, 2004

Date of Signature

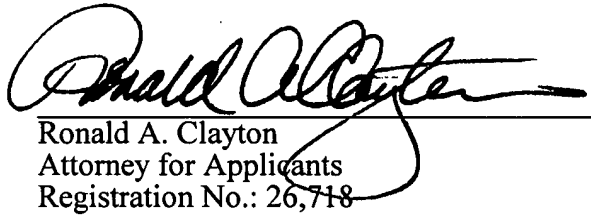
2. Copy of the NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION; and

3. Petition under 37 C.F.R. § 1.136(a) together with the extension fee of \$430.00.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

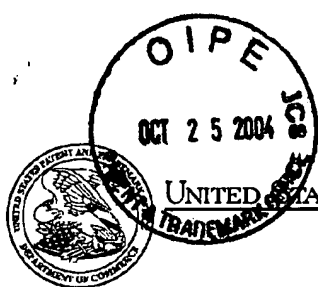
Respectfully submitted,



Ronald A. Clayton
Attorney for Applicants
Registration No.: 26,718

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 437143v1



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,504	01/27/2004	Eddie F. Ray III	03190.000100.

CONFIRMATION NO. 3501

5514

FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

FORMALITIES LETTER



OC000000012997051

Date Mailed: 06/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

10/26/2004 WASFAW1 00000059 10766504

01 FC:1051

130.00 DP

*A copy of this notice **MUST** be returned with the reply.*

HN

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE